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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,354	09/27/2000	Osamu Okumura	038959.01	8112

25944 7590 05/21/2002

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EXAMINER

TON, MINH TOAN T


ART UNIT

PAPER NUMBER

2871

DATE MAILED: 05/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/671,354	OKUMURA ET AL.	
	Examiner	Art Unit	
	Toan Ton	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30,31,33-41 and 44-67 is/are pending in the application.
- 4a) Of the above claim(s) 34-36,39-41 and 44-48 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30,31,33,49-55,59 and 63 is/are allowed.
- 6) ☒ Claim(s) 37,38,58,60-62 and 64-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>12</u> | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2871

Claim Rejections - 35 USC § 103

1. Claims 37, 56-58, 60-62, 64-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgawara et al (US 5365357).

Ohgawara disclose (Figure 3) a color liquid crystal display device comprising color filters formed in both display and peripheral regions of the display device.

In the display region where electrode groups are opposed to each other to perform visual representation, color filters are disposed in pixel portions. In peripheral region (outside of the display region), color filters which are similar to those in the pixel portions of the display region [col. 8, line 42-50].

Forming a layer on the color filter layer is advantageous for several reasons, e.g., preventing direct contact from other layers such as electrode layer, liquid crystal layer, wherein the layer would have to be transparent for light transmission. For example, a direct contact between the color filter layer and the liquid crystal layer might deteriorate the material of the liquid crystal layer. Therefore, it would have been at least obvious to one of ordinary skill in the art to employ a protection layer on the color filter layer for several advantages, e.g., preventing direct contact from other layers such as electrode layer, liquid crystal layer.

Ohgawara disclose the color filters formed in the display portion (i.e., including Applicant's section)

The size of the color filters is commonly smaller than the dot area in the art.

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Allowable Subject Matter

2. Claims 30-31, 33, 38, 49-55, 59, 63 are allowed.

The following is a statement of reasons for the indication of allowable subject matter : the prior art of record does not anticipate nor render obvious to one ordinary skilled in the art a reflective liquid crystal display device comprising a combination of various elements as claimed, more specifically, a combination of the followings : a dot area formed an overlapping portion of the first electrode and second electrode for display, the dot area including a first section and a second section, a color filter arranged in the first section, no color filter is arranged in the second section.

Response to Arguments

3. Applicant's arguments filed 11/15/01 and 05-13-02 have been fully considered but they are not persuasive.

Applicant's only arguments are as follows :

- (1) The reference fails to disclose a transparent layer formed in the section, as recited in independent claim 37.
- (2) The reference fails to disclose the color filter being selectively arranged in the first section, as recited in independent claim 56.

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Examiners's responses to Applicant's only arguments are as follows :

(1) Although the reference fails to explicitly disclose the transparent layer, forming a layer on the color filter layer is advantageous for several reasons, e.g., preventing direct contact from other layers such as electrode layer, liquid crystal layer, wherein the layer would have to be transparent for light transmission. For example, a direct contact between the color filter layer and the liquid crystal layer might deteriorate the material of the liquid crystal layer. Therefore, it would have been at least obvious to one of ordinary skill in the art to employ a protection layer on the color filter layer for several advantages, e.g., preventing direct contact from other layers such as electrode layer, liquid crystal layer.

Further, claim 37 does not exclude : (a) the transparent layer is formed only the second section, or (b) no color filters are formed in the second section.

(2) Ohgawara disclose the color filters formed in the display portion (i.e., including Applicant's section). Claim 56 fails to exclude no color filters formed in the second section.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. TON whose telephone number is (703) 305-3489. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

May 20, 2002


TOANTON
PRIMARY EXAMINER